

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

GREGORY SCOTT HILLHOUSE

PLAINTIFF

V.

CIVIL ACTION NO. 3:11CV101 DPJ-FKB

JAMES SPANN, ET AL.

DEFENDANTS

ORDER

This § 1983 action is before the Court on the Report and Recommendation [83] of the United States Magistrate Judge, after referral of hearing by this Court. Magistrate Judge Ball recommended denying Defendant James Spann's motion to dismiss [71]. The Court, having fully reviewed the unopposed Report and Recommendation of the United States Magistrate Judge entered in this cause, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED that the Report and Recommendation [83] of United States Magistrate Judge F. Keith Ball be adopted as the finding of this Court. Defendant James Spann's motion to dismiss [71] is denied.

SO ORDERED AND ADJUDGED this the 3rd day of May, 2013.

s/ Daniel P. Jordan III

UNITED STATES DISTRICT JUDGE